



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of the request of)	
NAFCO, L.L.C.)	
25950 Ford)	Request ID No. 526166
Dearborn Heights, Michigan 48127)	
)	
Wayne County)	
_____)	

At the July 12, 2012 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

PRESENT: Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

LICENSING APPEAL ORDER

On July 27, 2009, NAFCO, L.L.C. (applicant) filed a request to transfer ownership of 2012 Class C and SDM licenses with Sunday Sales Permit (P.M.) and Dance-Entertainment Permit from PMAC, LLC, to be located at the above-noted location.

At a meeting held on April 18, 2012, the Commission denied this request under administrative rule R 436.1105(1)(b) as the applicant did not provide evidence of the existence of adequate, legitimate and verifiable financial resources for this transaction.

Applicant member, Mary Guy, submitted a timely request for an appeal in this matter and Attorney Thomas Stidham represented the applicant at the July 12, 2012 hearing, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file and documents presented at the hearing, and discussion of the issue on the record, the Commission finds that based on testimony and documents presented at the hearing, the applicant sufficiently demonstrated that an acceptable money lender for this transaction will be immediate family of the applicant member, and the amount in question has been verified.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record, with certain

provisions of licensure.

THEREFORE, IT IS ORDERED that:

A. The denial order of April 18, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The licensee shall submit to the Commission an acceptable and executed lease agreement.
2. The licensee shall submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject licenses and permits until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.
3. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from the issuance of the licenses and permits, as provided in administrative rule R 436.1060.
 - a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
 - b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the license and permits shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the licenses and permits.

B. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of these licenses and permits by the Michigan Liquor Control Commission does not waive any of these requirements.

C. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____